

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

September 22, 2008
5:45 P.M.

Invocation by Reverend Paul Whitlock, Desert Heritage Church.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

CONSENT AGENDA

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

(Members of the Mesa City Council will attend either in person or by telephone conference call).

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1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.
3. Discuss, take public comment and take action on the following Major General Plan Amendment:
 - 3a. Public Hearing on Major General Plan Amendment
GPMajor08-01 (District 6)
 - 3b. Take action on the following resolution:

GPMajor08-01 (District 6) From Medium Density Residential (4-6 du/ac), Community Commercial, Regional Commercial, Office, Business Park, Mixed Use Employment and Mixed Use Residential (30% at 15+ du/ac) to Mixed Use/ Community for approximately 3,600 ± acres just east of the Phoenix-Gateway Airport generally bounded by Ellsworth Road to the west, Signal Butte Road to the east, Ray Road alignment to the south and Elliot Road to the north. DMB Mesa Proving Grounds (MPG) LLC, a Delaware limited liability company, Flood Control District of Maricopa County, Arizona State Land Department, owners; Grady Gammage, Jr. Esq., Gammage & Burnham PLC, applicant. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.)***

P&Z Recommendation: Adoption. (Vote: 5-0-1 with Boardmembers Salas absent and Coons abstaining).
4. Discuss, take public comment and take action on the following Major General Plan Amendment:
 - 4a. Public Hearing on Major General Plan Amendment
GPMajor08-02 (District 6)

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- 4b. Take action on the following resolution:

GPMajor08-02 (District 6) From Medium Density Residential (4-6 du/ac), Community Commercial, Regional Commercial, Business Park, Mixed Use Employment and Light Industrial to Mixed Use/ Community for approximately 1,699 ± acres just east of the Phoenix-Gateway Airport generally bounded by Ellsworth Road to the west, Signal Butte Road to the east, Ray Road alignment to the north and Pecos Road to the south. Pacific Proving LLC/ Andrew Cohn, owner; Beus Gilbert PLLC/ Paul E. Gilbert, applicant.

P&Z Recommendation: Adoption. (Vote: 5-0-1 with Boardmembers Salas absent and Coons abstaining).

5. Take action on the following liquor license applications:

*5a. De La Cruz Bistro

New Restaurant License for De La Cruz Bistro, 10 W. Main Street, De La Cruz Bistro LLC – Silda Rosa De La Cruz, Agent. The previous Restaurant Liquor License held at this location by Posh Nosh, issued November 2, 2007, will revert back to the State. **(District 4)**

*5b. Dooby's Grill Café

New Restaurant License for Dooby's Grill Café, 2909 S. Dobson Road, Suite #21, Dooby's Grill Café LLC – Lauren Kay Merrett, Agent. The previous Restaurant License held at this location by Jang Garden, issued July 17, 2006 will revert back to the State. **(District 3)**

*5c. Red Koi Japanese Restaurant

New Restaurant License for Red Koi Japanese Restaurant, 5221 S. Power Road, Suite #A-104 & 105, Red Koi LLC – Jason Ha-Linh Quach, Agent. This is new construction with no previous liquor license at this location. **(District 6)**

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6. Take action on the following contracts:

- *6a. Radio Frequency Identification (RFID) Project Hardware, Software and Accessories for the Red Mountain Library (State Grants In Aid [SGIA] Partial Funding)

The Procurement Services Department recommends authorizing purchase from Maricopa County contract with 3M™ Library Systems at \$239,324.45, including applicable use tax. Funding is available from State Grants in Aid (SGIA) Fund (\$22,000); Used Book Sale Fund (\$176,000); Library's Operational budget (\$41,324.45).

- *6b. Three-Year Supply Contract for Traffic Control Sign Material & Sign Imaging for the Transportation Department, Field Operations

The Procurement Services Department recommends awarding contracts to the lowest, responsive and responsible bidders as follows: Primary to Safeway Sign Co. at \$361,023.17 and Secondary to Zumar Industries, Inc. at \$52,800.00, for a combined annual award of \$413,823.17, based on estimated requirements, including applicable use tax.

- *6c. Purchase and Installation of Five (5) Replacement Storm Water Pumps for the Transportation Department, Field Operations **(Districts 2, 3, 4 and 6)**

The Procurement Services Department recommends awarding contracts to the lowest, responsive and responsible bidders as follows: Pumps Purchase to James, Cooke and Hobson, Inc. at \$114,381.15 and Pumps Installation to Phoenix Pumps, Inc. at \$14,370.00, for a combined award of \$128,751.15, including applicable sales tax.

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- *6d. Purchase of One Replacement Ladder Fire Truck as requested by the Fire Department (Fire Bond Funded)

The Procurement Services Department recommends authorizing purchase from the Pierce Manufacturing Master Purchase Agreement through First In, Inc. at \$877,379.60, including applicable sales tax.

- *6e. Three-Year Supply Contract for Padlocks and Keys for Various City Departments (Utilities, Solid Waste, Facilities Maintenance, etc.)

The Procurement Services Department recommends awarding the contract to the lowest, responsive and responsible bid from Clark Security Products at \$26,339.51 annually, based on estimated quantities, including applicable sales tax.

- *6f. Purchase of Steel Refuse Containers (4, 6, and 8 Cubic Yard) for the Solid Waste Management Department

The Procurement Services Department recommends awarding the contract to the lowest, responsive and responsible bid from Action Container Solutions at \$95,247.03 annually, based on estimated quantities, including applicable sales tax.

- *6g. **Deleted.**

- *6h. Amendment to the City's Site License for a Computerized Maintenance Management System (CMMS) and Purchase of Related Geographic Information System (GIS) Infrastructure Hardware and Software for the Utilities Department (Gas, Water & Electric Divisions)

The Procurement Services Department recommends approval of an amendment to Mesa Contract #2006170 with Motorola, Inc. at \$243,112.50, and purchase of hardware and software from the State of Arizona Contracts with Hewlett-Packard Company at \$24,560.78 and Oracle Corporation at \$147,981.12, for a combined total of \$415,654.40, including applicable taxes.

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- *6i. Kingsborough Park Playground Renovations, 2311 East Holmes Ave, City of Mesa Project No. 06-004-001 **(District 2)**

This project will remove and replace the existing park play area to meet the ADA requirements for accessibility.

Recommend award to the low bidder, Concast Corporation, in the amount of \$238,782.00 plus an additional \$23,878.20 (10% allowance for change orders) for a total award of \$262,660.20. Funding is available from the approved FY 08/09 Community Development Capital Program – CDBG Funds.

- *6j. Communication Tower at Desert Well #14 Well Site, City of Mesa Project No. 07-058-001.

This project will install a new communication tower in the southeast part of the City to maintain Police and Fire Department communications. With new development in the southeast part of the City, the existing tower is too low to maintain a clear line of site for the signal to be maintained.

Recommend award to the low bidder, BCI Communications, Inc., in the amount of \$140,387.00 plus an additional \$14,038.70 (10% allowance for change orders) for a total award of \$154,425.70. Funding is available in the approved FY 08/09 Fire and Law Enforcement Capital Program.

7. Introduction of the following ordinances and setting October 6, 2008, as the date of the public hearing on these ordinances:

- *7a. A08-08 (District 6) Annexing land located south of Elliot Road between Ellsworth and Signal Butte Roads (3,137.43± ac). Initiated by Grady Gammage, Jr. Esq, Gammage & Burnham PLC representing the property owner.

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- *7b. **Z08-55 (District 6)** The 3600 to 5200 blocks of South Ellsworth Road (east side), the 9200 to 10800 blocks of East Elliot Road (south side), and the 3600 to 6000 blocks of the South Signal Butte Road alignment (west side). Located south of Elliot Road between Ellsworth Road and Signal Butte Road (3200± acres). Rezone from Maricopa County Rural 43 with a Special Use Permit for a Proving Grounds to City of Mesa R1-43. This request will establish City of Mesa zoning on recently annexed property. Karrin Taylor, DMB Mesa Proving Grounds, LLC, owner; City of Mesa, applicant.

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Roberts and Salas absent and Coons abstaining).

- *7c. **Z08-56 (District 6)** The 3600 to 5200 blocks of South Ellsworth Road (east side), the 9200 to 10800 blocks of East Elliot Road (south side), and the 3600 to 6000 blocks of the South Signal Butte Road alignment (west side). Located south of Elliot Road between Ellsworth Road and Signal Butte Road (3200± acres). Rezone from R1-43 to Planned Community District (PCD). This request will establish a Community Plan for a Mixed Use Community. Karrin Taylor, DMB Mesa Proving Grounds, LLC, owner/applicant. (***Held neighborhood meetings, notified property owners, homeowners associations and registered neighborhoods.***)

P&Z Recommendation: Approval with Conditions. (Vote: 5-0 with Boardmembers Coons and Salas absent).

- *7d. **Amending Section 9-6-4 of the Mesa City Code** to allow alternative street lighting standards in portions of the proposed Mesa Proving Grounds project. (**District 6**)

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- *7e. **Z08-57 (District 6)** 6447 South Mountain Road. Northeast of the Pecos and Mountain Road Intersection. (13.48 ac.) Rezone from M-2 and AG to M-2 and Site Plan Review. This request is to allow development of a truck maintenance and operations facility. Jerome Stehly, owner; Doss, Allied Waste Transportation, Inc., applicant. (***Notified property owners.***)

PHO Recommendation: Approval with Conditions.

8. Take action on the following resolutions:

- *8a. Vacating an alley located in the 1500 block of East 2nd Place. (**District 2**)

This alley is being vacated at the request of the adjacent property owners to better secure the area. A Public Utility and Facilities Easement will be retained for access by the utility companies.

- *8b. Vacating an alley located west of North Horne Street, between East 7th Street and East 7th Place. (**District 1**)

This alley is being vacated at the request of the adjacent property owners to better secure the area. A Public Utility and Facilities Easement will be retained for access by the utility companies.

- *8c. Approving and authorizing the City Manager to execute a Land Use License between the Central Arizona Project (C.A.P.) and the City of Mesa for the rights-of-way, construction, construction management, operation and maintenance of a 4-inch Polyethylene natural gas pipeline that is installed across the C.A.P. canal.

- *8d. **Deleted.**

- *8e. **Deleted.**

- *8f. Approving and authorizing the City Manager to sign and submit an application to the Arizona Department of Water Resources to modify the City's designation of assured water supply.

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9. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *9a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Left Turns From Driveways, 10-3-15 (B)

On the south side of Brown Road with centerline approximately 265 feet east of Ellsworth Road. (Brown Road east of Ellsworth, District 5)

One-Way Streets, Alleys, and Driveways, 10-3-16(B):

The alley east of and parallel to Williams between Broadway Road and Elton Avenue. (South of Broadway Road west of Gilbert Road, **District 4**)

The alley south of and parallel to 5th Avenue between Williams and Hall. (South of Broadway Road west of Gilbert Road, **District 4**)

Special Stops Required, 10-3-17:

On Mountain Bridge Drive south of McKellips Road. (Hawes Road alignment south of McKellips Road, **District 5**)

Speed Limits (45 mph) 10-4-3 and Speed Limits (35 mph) 10-4-5:

Decrease the speed limit from 45 mph to 35 mph on Pecos Road from Mountain Road to the east City limits. (Pecos Road east of Signal Butte Road, **District 6**)

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City Parking Lots and Garages 10-5:

Delegate authority to establish and implement parking prohibitions to the City Traffic Engineer (as is the case with on-street parking prohibitions), require vehicles to be parked only in signed or marked spaces, and provide for enforcement of violations if vehicles are not parked in signed or marked spaces.

- 9b. Amending Chapter 17 of the Zoning Ordinance by revising existing definitions and requirements related to the placement of manufactured homes (maximum of 1,100 sq. ft.) within recreational vehicle parks and recreational vehicle subdivisions.

P&Z Recommendation: Approval. (Vote: 5-0-1 with Boardmember Mizner, abstaining and Boardmember Salas absent)

DDC Recommendation: Approval. (Vote: 6-0)

- *9c. **Z08-27 (District 6)** 8745 East Warner Road. Located west of Ellsworth Road and south of Warner Road (216± ac). Council Use Permit – Freeway Landmark Sign as part of the Entrada at the Santan Development Master Plan. Via West Properties, Steven Schwarz, owner; Jason Morris; Withey, Morris, PLC, applicant. **(Consent Agenda: Approval of P&Z and DRB Recommendation for one (1) freeway landmark sign located at the 202 and Warner Road)**

P&Z Recommendation: Approval with Conditions for one (1) FLM sign. (Vote: 5-2 with Boardmembers Mizner and Roberts nay.)

DRB Recommendation: Approval with Conditions for one (1) FLM sign. (Vote: 5-0 with Boardmembers DiBella and Lambright absent.)

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- *9d. **Z08-47 (District 6)** The 8200 to 8500 blocks of East Baseline Road (north side). Located west of the Loop 202 on the north side of Baseline Road (53± acres). Rezone from AG (conceptual M-1, C-2, O-S, R-3, and R-2) to C-2, PEP, and R-4 and the establishment of the “Baseline Center” Development Master Plan (DMP). This request will establish a Development Master Plan to allow the creation of a mixed-use residential development. David Glimcher, GVSW 202/60 LLC, owner; Susan Demmitt, Beus Gilbert PLLC, applicant; Stuart Rayburn, RCC Design Group, LLC, engineer. ***(Held a neighborhood meeting, notified property owners, homeowners associations and registered neighborhoods.) CONTINUED FROM THE AUGUST 25, 2008 CITY COUNCIL MEETING. (Consent Agenda: This case is being referred back to the Planning and Zoning Board)***

P&Z Recommendation: Approval with conditions. (Vote: 7-0)

10. Take action on the following subdivision plats:

- *10a. **“916 COMMERCE CENTER CONDOMINIUMS” (District 4)** 916 East Baseline Road (north side) located north and west of Baseline Road and Stapley Drive. 4 M-1 industrial office condominiums (4.00 ac) DC 23, LLC, Clifford J. Cutler, managing member, RGA Properties, LLC, Clifford J. Cutler, managing member and CLOD, LLC, Clifford J. Cutler, managing member, owner; Robert E. Consoni, surveyor.
- *10b. **“LANTANA AT MOUNTAIN BRIDGE” (District 5)** 8711 East Mountain Bridge Drive (south side) located south and west of McKellips Road and Ellsworth Road. 123 R1-9 PAD single residence lots (36.84 ac) Jeff Blandford, manager, Pinnacle Ridge Holdings, L.L.C., owner; Darrell Smith, Wood, Patel & Associates, Inc., engineer.

11. Items from citizens present. (Maximum of three speakers for three minutes per speaker).